

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

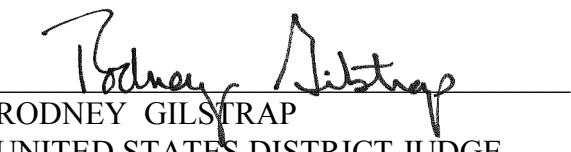
ROBERT C. FOSTER §
VS. § CIVIL ACTION NO. 2:09cv96
WARD PLAZA APARTMENT §

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Roy S. Payne. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that the complaint is **DISMISSED** without prejudice. Any and all motions which may be pending in this civil action are hereby **DENIED**.

So ORDERED and SIGNED this 22nd day of February, 2012.


RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE